

**Louisiana State Board of Examiners of Psychologists**  
**BOARD MEETING MINUTES**  
*Friday, October 26, 2018*

*FINAL APPROVED: December 14, 2018*

The meeting of the Louisiana State Board of Examiners of Psychologists (Board) was noticed and agenda posted on, Wednesday, October 24, 2018. Dr. Jesse Lambert called the meeting to order at 8:34 a.m. on Friday, October 26, 2018 at 8706 Jefferson Highway, Suite B, Baton Rouge, LA 70809. Present were Board Members, Drs. Jesse Lambert, Koren Boggs, Amy Henke, Leah Crouch, and Gregory Gormanous; Executive Director, Jaime T. Monic; and Attorney Courtney P. Newton. Dr. Kim VanGeffen, representing the Louisiana Psychological Association was present for the open meeting

Dr. Lambert opened the meeting by reading the Board's Declaration of Purpose.

Dr. Henke requested to add an agenda item to consider a new complaint in executive session "In the matter filed by ER, received 10/26/2018"; Ms. Monic advised that the matter on the agenda to be scheduled for hearing had potentially resolved and requested that the board add complaint item "P17-18-04C" for discussion in executive session. Dr. Gormanous moved to approve the agenda with new complaints "In the matter filed by ER, received 10/26/2018" and "P17-18-04C". The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Henke – YEA, Crouch– YEA, Gormanous - YEA.

Dr. Henke moved to approve the minutes of September 24, 2018. The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Crouch– YEA, Henke – YEA. Dr. Gormanous abstained due to his absence at the September 24, 2018 meeting.

**COMMITTEE REPORTS:** The Board received the following committee reports:

**Executive Director Report** – Ms. Monic reported the following:

- Our anticipated date for relocating the office is November 10, 2018;
- Due to the workload added with the relocation, some projects are delayed including 2018 Audits;
- ASPPB Mid-winter meeting will be in Sante Fe, NM, April 11-14, 2019

**Finance Committee Report** - Dr. Lambert reported that he reviewed and approved Leave Reports for Ms. Monic. The Board reviewed and by motion of Dr. Gormanous accepted the Financial Statements for September 2018 prepared by Valerie Dominique, CPA. Ms. Monic reported the approval of the third amended contract with Taylor, Porter, Brooks & Phillips, LLC. With continuing needs for legal representation by this firm, Ms. Monic advised that an additional amendment may be necessary prior to the end of the fiscal year.

**Oral Examination Committee Report** – Dr. Boggs reported 4 oral examinations were scheduled this date.

**Supervision/Credentials Review** – Dr. Crouch reported file reviews will be conducted and discussed in executive session.

**Complaints Committee:** - 1. P17-18-04C – Status/Docket for Hearing/Request for Board Member Conflict Statements (CPN) – Ms. Newton advised that the respondent in this matter presented a signed Consent Order for consideration by the Board, which Order will be considered this date in executive session.

**Liaison to Professional Organizations and Boards Report** – Dr. Henke reported on her, Dr. Gormanous, and Ms. Monic’s attendance at the ASPPB Annual Meeting in Salt Lake City, Utah.

**Continuing Professional Development Committee** – No report.

**Long Range Planning/Awards Committee** – The board reviewed discussion items for the Long Range Planning meeting.

**Jurisprudence Examination Committee** – No report.

**Legislative Oversight Committee Report** – No report.

## **DISCUSSION/ACTION ITEMS**

1. **ASPPB Jurisdictional Update** – The Board reviewed and discussed the “Jurisdictional Update on the Enhanced EPPP” issued by ASPPB and the impacts on licensure and regulation by LSBEP. Dr. Gormanous moved to address the impacts of item #5 “Only applicants who are registered through a jurisdiction that has adopted the Enhanced Exam, and who have passed the knowledge portion of the exam, will be allowed to take the skills portion of the exam.” And item #7: **Fees for the skills portion of the exam**, not including test center and jurisdictional fees will be: a. \$300 for early adopters – from exam launch through December 31, 2021  
b. \$450 as of January 1, 2022” The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Henke – YEA, Crouch– YEA, Gormanous - YEA.

2. **ASPPB GAP Recommendations comments period ends November 5<sup>th</sup>** - The Board reviewed and discussed the GAP Recommendations proposed by ASPPB. Dr. Gormanous moved in favor of providing comment to ASPPB to address concerns/questions related to:  
1. Line 281. Primary supervisor and how/who do you find to provide supervision;  
2. Line 293. #5 being too specific, restrictive and difficult to administrate; and  
3. Line 374. Related to graduate training. The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Henke – YEA, Crouch– YEA, Gormanous - YEA.  
Dr. Gormanous volunteered to draft the letter.

3 **LSBME Memorandum of Understanding** – The Board discussed the previous Memorandum of Understanding with the Board of Medical Examiners and the necessity of being able to communicate with regard to individuals who hold dual licenses with other Boards. Other questions were brought up related to information sharing among other agencies such as the Department of Children and Family Services, that may have an interest (or obligation) to

investigate matters that fall under their jurisdiction when the board receives such information in the course of its investigation. Ms. Newton participated in this discussion, advising the Board that it could seek the opinion of the Attorney General

***In consideration of the questions raised in this discussion***, the following Motion and Resolution was offered by Koren Boggs who moved for its adoption, and seconded by Amy Henke, Psy.D.

*WHEREAS* the LOUISIANA STATE BOARD OF EXAMINERS OF PSYCHOLOGISTS (LSBEP) is authorized to request advisory opinions from the Attorney General;

*WHEREAS* Attorney Courtney P. Newton is contracted to provide legal services for the LSBEP;

*WHEREAS*, this resolution shall take effect immediately.

*THEREFORE*, the LSBEP hereby authorizes attorney Courtney Newton to request an opinion from the attorney general regarding whether it is lawful for the LSBEP to report information to law enforcement, other state licensing boards, or other state and federal agencies with jurisdiction/shared jurisdiction over the alleged violations: a) when that information is received in the course and scope of confidential complaints submitted to the LSBEP and/or confidential investigations conducted by the LSBEP; and, b) following receipt of a complaint alleging criminal activity including, but not limited to, child abuse, sexual abuse, Medicaid fraud, and dealing of illegal drugs prior to formal adjudication and Order.

*FURTHER* the LSBEP authorizes one Board member to review the drafted attorney general opinion and approve for submission.

The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Henke – YEA, Crouch– YEA, Gormanous - YEA.

4. **Rulemaking 2018-19: a. Telepsychology; b. Chapter 15. Rules for Disciplinary Actions; c. Reciprocity Applications; d. Review Written Comments received RE: Continuing Education Requirements, Exemptions and Fees (LAC 46:LXIII. 601, 603, 803, 805, 811, 905 and 4001):** The Board discussed rule making initiatives for 2018-19:

a. Dr. Lambert reported that he was collecting data and working on a draft to present to the board for consideration;

b. Ms. Newton reported that she was amending the draft Chapter 15 and would forward that for the board for consideration;

c. Ms. Monic reported that there was a hold put on implementing the new procedures for processing Reciprocity Applications due to the current language in the LAC:46LXIII.Chapter2. The Board discussed the new procedures against the current rule. Dr. Boggs moved in favor of amending the rule to require the submission of doctoral transcripts with the reciprocity application. The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Henke – YEA, Crouch– YEA, Gormanous - YEA.

d. The board discussed the proposed rules and comments received related to Continuing Education Requirements, Exemptions and Fees (LAC 46:LXIII. 601, 603, 803, 805, 811, 905 and 4001). Dr. Henke stated her concerns that there was some misunderstanding about the board's role and what the rule was trying to accomplish. Ms. Monic recommended, in light of the

numerous written objections, that an opportunity for oral comment be provided to obtain an understanding of the concern. Dr. Henke moved in favor of allotting one hour at the Long Range Planning Meeting on November 30, 2018 to hear oral comments related to this rule, and per the advice of Attorney Newton, limiting comments to 3 minutes. The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Henke – YEA, Crouch– YEA, Gormanous - YEA. Ms. Newton recommended establishing clear guidelines including time limits.

Dr. Gormanous moved to take the agenda out of order in consideration of Dr. Kim VanGeffen’s need to leave, to discuss item #6 “2018-19 Board Meeting Dates”. The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Henke – YEA, Crouch– YEA, Gormanous - YEA.

**6. 2018-19 Board Meeting Dates:** The Board discussed and set the following dates for meeting:

- January 24, 2019 (tentative hearing date)
- January 25, 2019
- February 8, 2019
- March 22, 2019

**5. Policy and Procedures: a. Accounting: Section 2000; b. Board Structure: Section 1013; c. Media/Public Information Policy: Section 8000; d. Emergency Operation Policy: Section 5000:** The final review of this matter was tabled due to time.

6. **StartYourRecovery.org** – The Board discussed the request of StartYourRecovery.org, a nonprofit organization provider resource page, to list a link to their site on the Suicide Prevention resource page on the LSBEP website. The board concluded that due to the board’s role in licensing and regulation and public affairs, it would be inappropriate to list provider related resources. It is the board’s intent to provide state or federal regulated *emergency* resources for suicide prevention only. The board further agreed to review this page to determine that only those resources are provided.

**BOARD MEMBER TRAINING:** Hearing, Deliberation, Findings of Fact and Order. Attorney Newton provided board member and staff training and information gained from her attendance at FARB on the topic of hearings, deliberations, findings of fact, board orders and the importance obtaining and documenting education and training on these topics.

**EXECUTIVE SESSION [LSA R.S. 42.16]** Dr. Boggs moved to enter Executive Session pursuant to LSA R.S.42:17.A(4) to conduct oral examinations, file reviews and complaint reviews. The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Henke – YEA, Crouch– YEA, Gormanous - YEA.

By motion of Dr. Henke, the Board unanimously agreed to close executive session to enter the following into the record:

**ORAL EXAMINATIONS [LSA-R.S. 42.16.1]:**

**Frances Ernst, Psy.D.** appeared before Board Members, Drs. Lambert, Boggs and Gormanous for an oral examination for licensure in Clinical Psychology. Dr. Gormanous moved that **Dr. ERNST** be granted a license to practice psychology with a declared specialty in Clinical Psychology. The Board discussed the motion. The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Henke – YEA, Crouch– YEA, Gormanous - YEA.

**Frank H. Pittenger, Ph.D.** appeared before Board Members, Drs. Henke and Crouch for an oral examination for licensure in Clinical Psychology. Dr. Crouch moved that **Dr. Pittenger** be granted a license to practice psychology with a declared specialty in Clinical Psychology. The Board discussed the motion. The motion passed by unanimous roll call vote as follows: Boggs- YEA, Henke – YEA, Crouch– YEA, Gormanous – YEA (Dr. Lambert recused himself from this vote).

**Hillary C. Becker, Psy.D.** appeared before Board Members, Drs. Lambert, Boggs and Gormanous for an oral examination for licensure in Clinical Psychology. Dr. Boggs moved that **Dr. Becker** be granted a license to practice psychology with a declared specialty in Clinical Psychology. The Board discussed the motion. The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Henke – YEA, Crouch– YEA, Gormanous - YEA.

**Lee A. Annotti, Ph.D.** appeared before Board Members, Drs. Henke and Crouch for an oral examination for licensure in School Psychology. Dr. Henke moved that **Dr. Annotti** be granted a license to practice psychology with a declared specialty in School Psychology. The Board discussed the motion. The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Henke – YEA, Crouch– YEA, Gormanous - YEA.

#### **COMPLAINTS [LSA R.S. 42.17.A(4)]:**

**1. In the matter filed by CP on 5/15/2018 –**Dr. Henke presented this matter to the board in executive session reporting that the investigation was complete and recommending that a letter of education be sent to the respondent and the employing institution informing them of the requirements for licensure in providing psychological services. The Board discussed the recommendation. Dr. Gormanous moved in favor of accepting Dr. Henke’s recommendation. The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Henke – YEA, Crouch– YEA, Gormanous - YEA.

**2. Nineteenth Judicial District; Parish Of East Baton Rouge, State Of Louisiana, Division D, No.: 643,369: Glenn W. Ahava, Ph.D. v. LSBEP, On Appeal From September 18, 2015, Opinion And Order Of The Louisiana State Board Of Examiners Of Psychologists –** Ms. Monic reported that Dr. Ahava had filed a motion to set a date for oral argument related to the Appeal of the September 15, 2015 Opinion and Order of the LSBEP. The board discussed appropriate recusal of current board members related to any discussion pertaining to facts or merits of the case and investigation in order to preserve the integrity of any current board member and preserve their ability to sit on future hearing panels, in the event this matter was remanded back to the board for further consideration. It was determined that Drs. Henke and Crouch who were not on the board for the original proceedings, be recused from all discussions related to the investigation and original hearing; and that Drs. Lambert, Boggs and

Gormanous representing a majority of the board and having factual knowledge of this matter, serve as the reviewing committee to provide recommendations on proceeding pending the determination and findings of the 19JDC. No further action or discussion was required with this regard.

**3. P17-18-04C** – Dr. Lambert recused himself, and was not present for the presentation or discussion of this matter. Attorney Newton presented this this matter and proposed consent order signed by the respondent. The Board discussed the matter thoroughly, Dr. Gormanous moved in favor of accepting the consent order, with revisions to the terms outlined on page 5 No. 2. Ms. Newton advised that the respondent would be given the opportunity to accept the revisions or reject them and proceed to hearing. The board approved the motion to accept as revised by majority roll call vote as follows: Boggs- YEA, Henke – YEA, Crouch– YEA, Gormanous - YEA.

**4. In the matter filed by EH and AH, on 10/26/2018** – Due to time constraints this matter was tabled until November 29, 2018.

**SUPERVISION/CREDENTIALS COMMITTEE: APPLICANT/LICENSE FILE REVIEWS [LSA-R.S. 42.17.A(1)]**

Dr. Gormanous reviewed and presented the Application for License of **Sarah A. Fontenelle, Ph.D.**, to the Board with a motion confirm the applicants Candidacy status and invite Dr. Fontenelle to take the Oral and Jurisprudence Examinations to complete the licensing process. The Board discussed the motion. The motion passed unanimously.

Dr. Boggs reviewed and presented the Application for License of **Brandon John Waits, Ph.D.**, to the Board with a motion to confirm the applicants Candidacy status and invite Dr. Waits to take the Oral and Jurisprudence Examinations to complete the licensing process. The Board discussed the motion. The motion passed unanimously.

Dr. Gormanous reviewed and presented the Application for License of **Billie C. Myers, Ph.D.**, to the Board with a motion to confirm the applicants Candidacy status and invite Dr. Myers to take the Oral and Jurisprudence Examinations to complete the licensing process. The Board discussed the motion. The motion passed unanimously.

Dr. Lambert reviewed and presented the Application for License of **Heather Larrazolo, Ph.D.**, to the Board with a motion to confirm the applicants Candidacy status and invite Dr. Larrazolo to take the Oral and Jurisprudence Examinations to complete the licensing process. The Board discussed the motion. The motion passed unanimously.

Dr. Henke reviewed and presented the Application for License of **Sean I. Gibbs, Psy.D.** to the Board with a motion to confirm the applicants Candidacy status and invite Dr. Gibbs take the Oral and Jurisprudence Examinations to complete the licensing process. The Board discussed the motion. The motion passed unanimously.

Dr. Lambert reviewed the Reinstatement Application of Dr. Lesajeane Jennings, with a motion to approve the reinstatement of Dr. Jennings license effective 10/26/2018. The motion passed unanimously.

**OPEN MEETING - Valerie Dominique, CPA** presented the 2018 Annual Financial Report, current budget and 2019-20 Budget considerations. Following Ms. Dominique’s presentation, the board formally resolved, by motion of Dr. Koren Boggs, to adopt the revisions to the budget for FY July 1, 2018 through June 30, 2019 budget; and proposed July 1, 2019 through June 30, 2020 budget, as amended and prepared by Valerie Dominique, CPA, and Accountant for the LSBEP. The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs-YEA, Henke – YEA, Crouch– YEA, Gormanous - YEA.

***In consideration of budgetary items for the July 1, 2019 through June 30, 2020 FY.*** The following Motion and Resolution was offered by Koren Boggs who moved for its adoption, and seconded by Amy Henke, Psy.D.

*WHEREAS* the BOARD is authorized under R.S. 37:2353.C(2) to “Employ, within the limits of funds received by the Board, ...general legal counsel, or other personnel necessary for the proper performance of work under this Chapter; and

*WHEREAS* the BOARD licenses psychologists and specialists in school psychology, conducts hearings on complaints concerning the disciplining of licensees, and may cause the prosecution and enjoinder of all persons in violation of Title 37: Chapter 28 in order to safeguard life, health, property and the public welfare of this state and in order to protect the people of this state against unauthorized, unqualified, and improper application of psychology; and

*WHEREAS* the BOARD requires the continuing services of an attorney who specializes in administrative law to provide general counsel to the board in carrying out its functions; and

*WHEREAS* the BOARD is currently in a multi-year contract with Taylor, Porter, Brooks and Phillips, LLP to provide these services having been performed satisfactorily; and

*WHEREAS* the hourly rates shall be \$225 per hour for services of partners or associates with experience in the practice of law of 10 years or more; \$175 per hour for services of partners or associates with experience in the practice of law of 5 to 10 years; \$150 per hour for services of partners or associates with experience in the practice of law of 3 to 5 years; \$125 per hour for services of partners or associates with experience in the practice of law of less than 3 years; \$60 per hour for paralegal services; \$40 per hour for law clerk services. A total amount not to exceed \$36,000 for three Fiscal Years beginning on July 1, 2019 through June 30, 2023;

*WHEREAS* the Board authorize Ms. Jaime Monic, Executive Director, to request and negotiate the terms of a contract with the AG’s office in accordance with the policies, procedures, regulatory and statutory contracting requirements of the state; and

*WHEREAS*, this resolution shall take effect immediately.

THEREFORE BE IT RESOLVED that the Louisiana State Board of Examiners of Psychologists, pursuant to La. R.S. 42:262, does hereby retain the contractual services of Taylor, Porter, Brooks and Phillips, LLP; and

BE IT FURTHER RESOLVED, that this Resolution and proposed contract described herein be submitted to the Attorney General for the State of Louisiana for approval.

**5:00 p.m. ADJOURN**